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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/661,314

09/12/2003

Jun Shi

42P17119

7839

8791

7590

06/23/2009

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EXAMINER

DEANE JR, WILLIAM J

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

06/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/661,314	<b>Applicant(s)</b> SHI ET AL.	
	<b>Examiner</b> William J. Deane	<b>Art Unit</b> 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,304,648 (Chang) in view of U.S. Patent Application No. 2003/0081751 (Berstis) and further in view of U.S. Patent Application No. 2006/0149558 (Kahn et al.).

With respect to claims 1 – 27 and 30 – 32, note that Chang teaches a conferencing system in which call participants are identified from audio information and identification of a source, the audio source being based, at least in part upon, identifying information provided at the source, the identifying information comprises an alphanumeric message via a telephone (note the computer is a telephone, 12A, Col. 2, lines 23 – 27 and Col. 3, lines 2 - 7) (see Abstract, Col. 2, lines 30 – 36 and Col. 6, lines 1 – 5). The phones or computers used in Chang are capable of wireless communication. With respect to an intermediate node note the MCU 22, note that the MCU transmits one or more signals from the MCU to one or more destinations (Fig. 1). With respect to amplitude, note Fig. 3B. If the limitations with respect to the amplitude is argued then note that Berstis teach such at paragraph 0056. Since Chang records the amplitude, displaying such would have been obvious to one of ordinary skill in the art as shown by

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Berstis. If this is argued, note that Kahn et al. teach displaying of amplitude is old in the art. Since both Berstis and Chang teach record the amplitude it would have been obvious to one of ordinary skill in the art to have incorporated such displaying of the amplitude as taught by Kahn et al. into the system of Berstis/Chang. With respect to a mixer, note at least Col. 3, lines 20 – 22.

To have the circuitry used in Chang/Berstis and Kahn et al. placed on a circuit board comprising a circuit card slot would have been obvious to one of ordinary skill. Both circuit boards and circuit card slots are well known in the art and it would have been obvious to one of ordinary skill in the art to use such wherever it was deemed necessary. The same is true with respect to buses and processors.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1 - 29 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (571) 272-7484. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (571) 273-8300.

20Jun2009

/William J Deane/

Primary Examiner, Art Unit 2614

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